

**ORDINANCE NO. 6463-08**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 26, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE V., PERMIT FOR OPERATION OF OVERSIZE OR OVERWEIGHT VEHICLES OR MOVING HOUSES.

WHEREAS, the Council of the City of Newport News, Virginia, (the "Council") is authorized to issue permits for use of City street by Oversize and Overweight vehicles pursuant to Virginia Code § 46.2-1139; and

WHEREAS, the Council wishes to recodify Article V of Chapter 26 to bring same in line with the City's Moving and Hauling Policy;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

1. That it desires to, and hereby does, recodify Chapter 26, Motor Vehicles and Traffic, Article V, Permit for Operation of Oversize or Overweight Vehicles or Moving Houses, to provide as follows:

**CHAPTER 26**

**MOTOR VEHICLES AND TRAFFIC**

**ARTICLE V. PERMIT FOR OPERATION OF OVERSIZE OR  
OVERWEIGHT VEHICLES OR MOVING HOUSES**

**Sec. 26-89. General authority to issue.**

The director of engineering or his designee may issue permits, conditioned as deemed necessary or advisable, permitting the operation of vehicles, or combinations thereof, the width, height, length or weight of which exceed that permitted by the state law adopted by section 26-8, if such operation will not damage any infrastructure, render the streets dangerous or otherwise unduly impair the free flow of traffic thereon. The issuance of permits shall be in accordance with the City's Moving and Hauling Policy, a copy of which is incorporated herein by reference. Permits issued in accordance with this section shall be designated as Single Trip, General Blanket Permit, or Restricted Blanket Permit, as defined in the City's Moving and Hauling Policy, attached herewith and incorporated herein by reference.

**Sec. 26-90. Blanket permits.**

General Blanket and Restricted Blanket permits may be issued under section 26-89 to any individual, business entity, government agency or a utility company for a specific vehicle owned or operated by it, subject to the requirements of Sec. 26-93 and the City's Moving and Hauling Policy.

**Sec. 26-91. Effect of issuance of state permit for operation over primary routes.**

A person shall be deemed to have obtained a permit from the director of engineering for the operation of an overweight, overwidth, overlength, overheight or unlicensed vehicle if such person is operating such vehicle pursuant to a permit issued by an appropriate agency or entity of the Commonwealth of Virginia over primary routes through the City. A permit shall be required and may be issued for the movement of overweight, overwidth, overlength, overheight or unlicensed vehicles over all other streets in the city, whether or not the permittee has a permit from the state highway and transportation commission.

**Sec. 26-92. Permit required for transport of Super Loads**

No person shall move on, transport over, carry along or convey upon any street of the city any Super Load, as that term is defined by the City's Moving and Hauling Policy, or anything so heavy as to require the use of structural deck plating, skids or rollers for the transporting thereof, unless such person shall have secured a permit to do so from the director of engineering or his designee, and has complied with Sec. 26-93 and the City's Moving and Hauling Policy.

**Sec. 26-93. Applicant's insurance or bond.**

Before issuing any permit pursuant to this article, the director of engineering or his designee shall require the applicant to file evidence of insurance or a bond, in the form of a cash bond, corporate surety bond, or irrevocable letter of credit, adequate to protect the City from any liability or damage to streets which may arise from the permitted operation and which in no instance shall be less than one million dollars (\$1,000,000.00) per occurrence.

**Sec. 26-94. Permit fees and charges.**

A permit fee of seventy five (\$75.00) shall be paid to the City before any Single Move Permit (excluding Super Loads) shall be issued under this article; provided, however, that (i) the fee for each General Blanket Permit shall be two hundred dollars (\$200.00) for the first vehicle owned, leased or controlled by a person or business entity and fifty dollars for each additional vehicle owned, leased or controlled by such person or entity or (ii) the fee per vehicle for each

Restricted Blanket Permit issued under section 26-90 shall be two hundred dollars (\$200.00). A permit fee of one hundred and fifty dollars (\$150.00) shall be paid to the City before any Super Load permit for a single move, shall be issued under this article. No blanket permits are available for Super Loads.

**Sec. 26-95. Agreement to comply with permit and the City's Moving and Hauling Policy and to repair damages caused by oversized or overweight vehicles.**

a. Acceptance of a permit by the applicant requires that he/she certify that the vehicle load can and will be moved in strict compliance with the terms set forth in the permit and in the City's Moving and Hauling Policy, that the operator of the vehicle is properly licensed to operate the vehicle on public highways and that all information submitted to secure the permit is accurate. No person, owner, representative, agent or employee of the permittee shall knowingly allow anyone to violate the regulations or restrictions set forth in the permit and the City's Moving and Hauling Policy.

b. By the acceptance of a permit under this article for the operation of an oversized or overweight vehicle, or by the operation of such a vehicle when no permit from the City is required by virtue of the provisions of section 26-91, a person agrees to restore or repair any damage caused by the vehicle to any street or appurtenances thereto.

**Sec. 26-96. Conditions of permit for overlength vehicles.**

Unless otherwise specified in the permit, every permit issued under this article for the operation of an overlength vehicle shall be deemed to include the following:

a. The permittee agrees to give adequate warning to the traveling public of the overlength vehicle and further agrees that the maximum overhang shall not exceed one-third ( 1/3 ) of the overall length of the load.

b. The permittee shall not permit the overlength load or any part thereof to drag upon the roadway, regardless of whether overhang has been permitted.

**Secs. 26-97--26-106. Reserved.**

2. That Council further adopts the City's Moving and Hauling Policy, a copy of which is attached to this Ordinance, and further determines that this Moving and Hauling Policy may be amended from time to time by the director of engineering in accordance with federal, state and local law.

3. That this ordinance shall be in effect on and after the date of its adoption, February 26, 2008.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON  
FEBRUARY 26, 2008

Mabel V. Washington, CMC  
City Clerk

Joe S. Frank  
Mayor

A true copy, teste:

City Clerk